

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to FIG. 4. In FIG. 4, element 47 is re-introduced, which was originally presented therein, but inadvertently omitted in the previously submitted replacement drawing for the same figure.

Attachment: Replacement Sheet
 Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

Claims 1, 2, 5-10, 12-14, and 17-38 remain in this application. Claims 3, 4, 11, 15, and 16 are canceled.

Among the remaining claims, claims 1, 2, 5, 6, 8, 9, 14, and 17 are currently amended. Claim 1 incorporates the recitations of claims 3 and 4, in addition to editorial changes. Claims 2, 5, 6, and 8 include editorial changes, and appropriate changes in dependency with respect to claims 5 and 6. Claim 9 incorporates recitations of claim 11. Claim 14 incorporates recitations of claim 15. Claim 17 as amended recites that the nestable nozzle attachment components are "separable in an axial direction" (e.g., see original claim 11). As to new claim 38, its recitations are based on a rewriting of original claim 7 in independent form.

The examiner has indicated that claims 26-37 are directed to allowable subject matter. Also, original claims 4, 5, 7, 11, 13, 16, and 18-25 have been indicated to be objected to as being dependent upon a rejected base claim, but also would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.¹

The indicated support in the present application for any of the above-indicated claim features is merely representative, and is not meant to be exhaustive.

In amended FIG. 4, element 47 is re-introduced, which was originally presented in that figure as filed, but was inadvertently omitted in the replacement drawing for the same figure submitted previously on January 9, 2004.

¹ Claim 13 was the subject of a rejection at pg. 4 of the Office Action. Applicants respond to this rejection herein.

No new matter has been introduced.

The Present Claims

The present claims generally relate to a nozzle attachment for removing residual material on a dispensing nozzle of a fluid dispenser. The nozzle attachment has a retainer for releasably attaching the nozzle attachment to the dispensing nozzle, and a pair of hollow-bodied components that define, when nested together, an intervening space useful as a gas passageway for pressurized gaseous fluid introduced and directed to a discharge opening at a lower axial end of the nested nozzle attachment components. The gas passageway is adapted to emit gas introduced into the gas passageway as a gas stream in a manner effective to remove residual material clinging to the dispensing nozzle.

Objection to Drawings

The attached replacement sheet for FIG. 4 re-introduces element 47 therein, and thus, should eliminate this objection.

Rejection of Claim 6 Under 35 U.S.C. §112, Second Paragraph

Applicants submit that this rejection of claim 6 has been overcome by the editorial amendment made thereto (see, e.g., original specification: page 3, lines 14-15; original claim 3).

Rejection of Claims 1-3 and 5 Under 35 U.S.C. §103(a) over U.S. Patent No. 5,266,565 to Hladis et al. in view of U.S. Patent No. 4,360,129 to Brokaw et al.

Applicants submit that this rejection is no longer applicable to claim 1, as amended, or its dependent claims 2, 3 and 5, in that claim 1 now includes the recitations of original claim 4, which was indicated to contain allowable subject matter.

Therefore, Applicants respectfully request withdrawal of this rejection.

Also, new claim 38 should be considered allowable, which recites the recitations of original claim 7, which also was indicated to contain allowable subject matter.

Rejection of Claims 9, 10 and 12 Under 35 U.S.C. §103(a) over U.S. Patent No. 5,266,565 to Hladis et al. in view of U.S. Patent No. 4,360,129 to Brokaw et al.

Applicants submit that this rejection is no longer applicable to claim 9, as amended, or its dependent claims 10 and 12, in that claim 9 now includes the recitations of original claim 11, which was indicated to contain allowable subject matter.

Therefore, Applicants respectfully request withdrawal of this rejection.

Rejection of Claim 13 under 35 U.S.C. §103(a) over U.S. Patent No. 5,266,565 to Hladis et al. in view of U.S. Patent No. 4,360,129 to Brokaw et al. and further in view of U.S. Patent No. 5,025,887 to Jamison.

Applicants submit that this rejection is no longer applicable to claim 13, and thus should be withdrawn, in view of the above-noted amendment made to its parent claim, i.e., the incorporation of the recitations of claim 11 therein. Claim 11 also was not included under this grounds of rejection.

Rejection of Claims 14 and 15 under 35 U.S.C. §103(a) over U.S. Patent No. 5,266,565 to Hladis et al. in view of U.S. Patent No. 4,360,129 to Brokaw et al.

The examiner's rationale of this rejection, as set forth at page 5 of the Office Action, has been fully reviewed. Applicants respectfully disagree for at least the following reasons.

Applicants point out that method claim 14 recites, among other things:

... the nozzle attachment comprises nested inner and outer components which are separable in an axial direction without the use of a tool for cleaning of the components, and wherein the nested components define therebetween an internal gas passageway for gas to flow through the nozzle attachment and a discharge for discharging gas to create shear forces to remove residual material from the nozzle ...

(Applicants' underlining added for emphasis)

Applicants point out that Hladis et al. create a air passageway between axial projection 50 of sleeve 30 and the surface of cylindrical barrel 17 of mixhead nozzle 16, and not another component of sleeve 30 (see, e.g., FIG. 2, col. 6, lines 8-12, 40-43).

Therefore, at least the above-reproduced recitation of claim 14 is not taught nor suggested by Hladis et al.

The cleaning attachment for nozzles, as described by Hladis et al., is structurally and functionally quite different from the presently claimed invention. The nozzle attachment of Hladis et al. requires use of wetted parts of the nozzle itself in a blow off operation. Therefore, the nozzle attachment of Hladis et al. can not be expected to provide the same level of cleanliness and/or efficiency in removing residual material from the discharge ends of flowable material dispenser nozzles as that possible with the nozzle attachments used according to methods of the present invention. Moreover, the nozzle attachment of Hladis et al. employs set screws 35 and 36 to join and separate the sleeve 30 and barrel 17 (e.g., col. 5, lines 41-51). Thus, the nozzle attachment of Hladis et al. also differs from the presently claimed invention in that the Hladis et al. nozzle attachment requires the use of tools for nozzle attachment and removal for intermittent disassembly, cleaning, re-assembly, and reinstallation. Thus, the nozzle attachment and method of its use thereof according to the present invention also is more convenient and effective than that possible with Hladis et al.

Hladis et al. nowhere teaches or suggests a method of providing "quick-release connections on a nozzle-cleaning air discharge device to aid in the disassembly and cleaning process" in the manner presently claimed in claim 14.

Applicants submit that the secondary reference to Brokaw et al. fails to make up for these shortcomings of the primary reference to Hladis et al. Applicants note that Brokaw et al. is directed to a system for dispensing viscous or chunky materials, such as chili, wherein the referenced FIG. 4 feature thereof (Office Action, p. 4), merely shows a wing-nut attaching mechanism for a dispensing valve. However, Brokaw et al. fail to teach or suggest a dispensing valve attaching mechanism that "...comprises nested inner and outer components which are separable in an axial direction without the use of a tool for cleaning of the components, and wherein the nested components define therebetween an internal gas passageway for gas to flow through the nozzle attachment and a discharge for discharging gas to create shear forces to remove residual material from the nozzle".

In view of the above, Applicants respectfully submit that a prima facie case of obviousness has not been established against the present claims 14 and 15 based on Hladis et al. and Brokaw et al., and, accordingly, they request withdrawal of this rejection.

Rejection of Claims 17 under 35 U.S.C. §103(a) over U.S. Patent No. 5,266,565 to Hladis et al. in view of U.S. Patent No. 4,360,129 to Brokaw et al.

The examiner's rationale of this rejection, as set forth at page 5 of the Office Action, has been fully reviewed. Applicants respectfully disagree for at least the following reasons.

Applicants point out that method claim 14 recites, among other things:

... a pair of annular nozzle attachment components that are separable in an axial direction and which define, when nested together, an intervening space provided between the nozzle attachment components which is operable as a gas passageway into which pressurized gaseous fluid can be introduced and directed to a discharge opening provided at a lower axial end of the nested nozzle attachment components ...

(Applicants' underlining added for emphasis)

Applicants respectfully submit that this rejection is untenable for the similar reasons as explained above with respect to the rejection of claims 14 and 15 over these same two references, and reference is made thereto.

In view of the above, Applicants respectfully submit that a *prima facie* case of obviousness has not been established against present claim 17 based on Hladis et al. and Brokaw et al., and, accordingly, Applicants request that this rejection be withdrawn.

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The early indication of allowable subject matter in the Office Action (p. 6) is acknowledged with appreciation.

CONCLUSION

In view of the above, it is believed that this application is in condition for allowance, and notice of such is respectfully requested.

Respectfully submitted,

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Attachments



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Annotated Sheet Showing Changes

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